

United States District Court

NORTHERN

DISTRICT OF

FILED
CALIFORNIA

2008 APR 18 P 3:02

UNITED STATES OF AMERICA

V.

Armando JIMENEZ-Carranza
(Name and Address of Defendant)

E-FILING

CRIMINAL COMPLAINT
RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

08-70238

HRL

CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, April 7, 2008, in Santa Clara County in the Northern District of California defendant(s) was, (Track Statutory Language of Offense)

Unlawfully re-entered and was found in the United States after deportation, without the permission of the Attorney General

in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following facts:
Official Title

SEE ATTACHED AFFIDAVIT

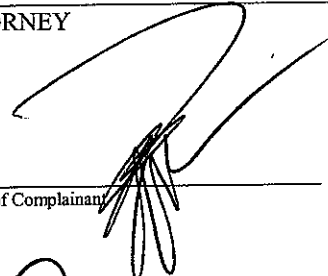
PENALTIES: \$250,000.00 fine, ten (10) years imprisonment, \$100.00 special assessment fee, and a Term of Supervised Release up to three years.

Requested bail: Issue no bail warrant.

APPROVED AS TO FORM:


ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No


Signature of Complainant

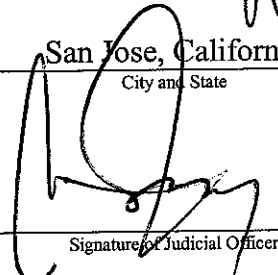
Sworn to before me and subscribed in my presence,

4/18/08
Date

at

San Jose, California
City and State

Howard R. Lloyd
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

RE: JIMENEZ-Carranza, Armando A91 734 449

I am a Deportation Officer of the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) and have been employed since July 7, 1997. I am currently assigned to the Criminal Alien Program (CAP) Unit of the San Jose Sub-Office. In such capacity, I have reviewed the official file relating to the above named individual, which attests to the following:

- (1) Mr. JIMENEZ-Carranza is a 40-year-old male who has used eleven (11) aliases and one (1) date of birth in the past.
- (2) Mr. JIMENEZ-Carranza has been assigned one (1) Alien Registration number of A91 734 449, FBI number of 263505VA7, California Criminal Information Index number of A10370357, and a Santa Clara County Personal File Number of CVJ668.
- (3) Mr. JIMENEZ-Carranza is a native of Mexico and a citizen of Mexico since birth. A check through official records shows that he was arrested and deported on one (1) occasion from the United States:

DATE

January 31, 2005

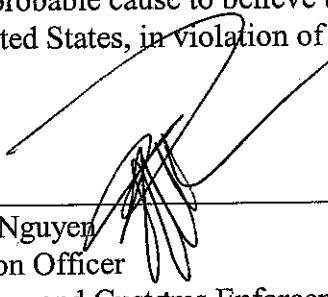
PLACE OF DEPORTATION

San Ysidro, CA

- (4) Mr. JIMENEZ-Carranza last entered the United States at or near San Ysidro, CA on or after January 31, 2005, by crossing the international border without inspection subsequent to deportation.
- (5) Mr. JIMENEZ-Carranza on a date unknown, but no later than April 7, 2008, in Santa Clara County in the Northern District of California, was found to be unlawfully present in the United States, after prior arrest and deportation, without the permission of the Attorney General or the Secretary of Homeland Security, in violation of Title 8, United States Code, Section 1326. On April 7, 2008, Mr. JIMENEZ-Carranza was interviewed by Immigration Enforcement Agent (IEA) Joseph Oidem at the Santa Clara County Jail Elmwood, Milpitas, CA, and during that interview, Mr. JIMENEZ-Carranza was advised of his **Miranda** rights in English. Mr. JIMENEZ-Carranza waived his **Miranda** rights and provided a written sworn statement attesting to his alienage, prior deportation, and failure to obtain permission from the Attorney General or the Secretary of Homeland Security to re-enter the United States.
- (6) Mr. JIMENEZ-Carranza was, on May 16, 1994 convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of DRIVING UNDER THE INFLUENCE, a misdemeanor, in violation of Section 23152(b) of the California Vehicle Code, and was sentenced to forty-five (45) days in jail.

RE: JIMENEZ-Carranza, Armando A91 734 449

- (7) Mr. JIMENEZ-Carranza was, on April 30, 1997 convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of DRIVING UNDER THE INFLUENCE, a misdemeanor, in violation of Section 23152(a) of the California Vehicle Code, and was sentenced to one hundred twenty (120) days in jail.
- (8) Mr. JIMENEZ-Carranza was, on February 7, 2000, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of DRIVING UNDER THE INFLUENCE, a misdemeanor, in violation of Section 23152(b) of the California Vehicle Code, and was sentenced to one hundred eighty (180) days in jail.
- (9) Mr. JIMENEZ-Carranza was, on April 22, 2004 convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of HIT AND RUN ACCIDENT RESULTING IN INJURY, a felony, in violation of Section 20001(a)/(b)(1) of the California Vehicle Code, and was sentenced to sixteen (16) months in prison.
- (10) Mr. JIMENEZ-Carranza was, on April 3, 2008, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of DRIVING UNDER THE INFLUENCE, a misdemeanor, in violation of Section 23152(b) of the California Vehicle Code, and was sentenced to three hundred (300) days in jail.
- (11) On the basis of the above information, there is probable cause to believe that Mr. JIMENEZ-Carranza illegally re-entered the United States, in violation of Title 8, United States Code, Section 1326.



Trong Q. Nguyen
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me this 18 day of April, 2008



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE